

## **REMARKS/ARGUMENTS**

This is a response to the Final Office Action dated July 21, 2009.

Claims 1-9 are pending in the Application. All claims were rejected in the final Office Action. Applicants amend Claims 6-9 and respectfully request a reconsideration of the rejections. Claims were amended for reasons of clarity and not patentability. Applicants believe that the amended recitations of Claims 6-9 were inherent in the prior versions of the claims. Therefore, Applicants believe that no Request for Continued Examination is necessary.

Claims 1-5 were rejected under 35 U.S.C. §103(a) as being unpatentable over Tomohide (JP07-295720) in view of Shimabukuro (2003/0092400). Claims 6-9 were rejected under 35 U.S.C. §103(a) as being unpatentable over Tomohide in view of Bogward (US 2004/0049743).

Claim 1 recites a mobile information terminal having a surface with a display and a surface opposite the display surface. This opposite surface includes a plurality of operation keys and a plurality of finger position detecting mechanisms associated with the operation keys. As recited in Claim 1, the finger position detecting mechanisms detect “that a finger of an operator is placed on one of said operation keys even if none of said operation keys is fully depressed.” This limitation of Claim 1 is not disclosed in the cited prior art.

Tomohide et al. discloses a mobile information terminal having a display 1, a touch sensor 8 and a keyboard 2 located on a surface opposite the display. See, Tomohide, par. [0016]-[0017]. The touch sensor is arranged to detect a contact with the surface of the display 1. See, Tomohide, par. [0019]. However, nothing in Tomohide et al. teaches or even suggests that the touch sensor detects a finger placed on one of the keys of the keyboard, as required by Claim 1. Moreover, Tomohide teaches that input can be received by the touch sensor 8 instead of the keyboard where the keyboard is not available. See, Tomohide, par. [0032]. Such input would not have been possible if the touch sensor were associated with the keys of the keyboard. Accordingly, Tomohide fails to disclose the finger position detecting mechanisms associated with the operation keys and detecting that a finger of an operator is placed on one of the operation keys, as recited in Claim 1.

Shimabukuro does not remedy the above deficiency of the Tomohide reference. Instead, Shimabukuro simply discloses a function of detecting a touch by using a finger. However,

nothing in Shimabukuro teaches or even suggests a detecting mechanism associated with operation keys and detecting that a finger of an operator is placed on one of the operation keys, as recited in Claim 1.

In further response, Shimabukuro does not disclose a function of changing an icon which is included in the image of the operation keys and which corresponds to one of the operation keys on which the operator places his/her finger when the control section determines, according to an input signal from the finger position detecting mechanisms, that the finger of the operator is placed on one of the operation keys.

Therefore Claim 1 is allowable over the cited prior art.

Since each of Claims 2-6 is directly or indirectly dependent upon independent Claim 1, each of Claims 2-6 is allowable at least for the same reasons as Claim 1 and further on its own merits.

Moreover, dependent Claim 6 recites a gravity sensor which is not disclosed or even suggested by the prior art of record, as explained below with respect to Claim 7.

Claim 7 recites a gravity sensor which detects whether gravity is applied in a direction from the front surface, i.e., the surface having the display, to the rear surface, i.e., the reverse surface to the display surface, or in a direction from the rear surface to the front surface. With respect to Claim 7, the Examiner indicated in the Office Action that “if the prior art structure is capable of performing the intended use, then it meets the claim.” However, Bogward is not “capable of performing the intended use.”

Specifically, Bogward discloses a semi-circular gravity sensor and a rectangular gravity sensor in Figs. 81, 82, 83A-83C and 84A-84E. The semi-circular gravity sensor of Bogward detects an angle of inclination of a leaf of the device in a situation in which gravity is always applied from a display surface to its reverse surface. However, the same sensor cannot detect an angle of inclination of the display device in a situation when gravity is applied from the reverse surface to the display surface because of the structure of the semi-circular sensor. Further, the sensor cannot detect whether gravity is applied in a direction from the reverse surface to the display surface. In other words, when the leaf is turned upside-down, the sensor does not work.

Further, the rectangular gravity sensor of Bogward detects the direction of the leaf by detecting gravity vector component in parallel with the display surface. However, the same sensor cannot detect gravity vector component perpendicular to the display surface. So it cannot detect if the gravity is applied from the display surface to the reverse surface or from the reverse surface to the display surface. There is simply no additional slot for the ball of the rectangular sensor that would correspond to such direction. Therefore, the limitation of Claim 7 reciting the gravity sensor which detects whether gravity is applied in a direction from the rear surface to the front surface, is not disclosed in Bogward. Therefore, Claim 7 is allowable over the cited prior art.

Since Claim 8 is (indirectly) dependent upon independent claim 1 and Claim 9 upon independent Claim 7, each of Claims 8-9 is allowable at least for the same reasons as Claims 1 and 7 and further on its own merits. Reconsideration of the rejection is respectfully requested.

In view of the foregoing amendments and remarks, allowance of Claims 1-9 is respectfully requested.

Accordingly, the Examiner is respectfully requested to reconsider the application, allow the claims as amended and pass this case to issue.

Respectfully submitted,

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